

# United States District Court District of South Carolina

UNITED STATES OF AMERICA

**AMENDED JUDGMENT IN A CRIMINAL CASE**

vs.

PHILLIP JERMAINE HARKLESS

Case Number: 4:05CR00079-TLW-4

USM Number: 11616-171

**Date of Original Judgment:** 9/19/05

(or Date of Last Amended Judgment)

AFPD Mark Campbell McLawhorn

Defendant's Attorney

**Reason for Amendment:**

- ☐ Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
- ☒ Reduction of Sentence for Changed Circumstances (Fed.R. Crim. P. 35(b))
- ☐ Correction of Sentence by Sentencing Court (Fed.R.Crim.P.35(a))
- ☐ Correction of Sentence for Clerical Mistake (Fed.R.Crim.P.36)
- ☐ Modification of Supervision Conditions (18 U.S.C. §3563(c) or 3583(e))
- ☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. §3582(c)(1))
- ☐ Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. §3582(c)(2))
- ☐ Direct Motion to District Court Pursuant to ☐ 28 U.S.C. §2255 or ☐ 18 U.S.C. §3559(c)(7)
- ☐ Modification of Restitution Order (18 U.S.C. §3664)

**THE DEFENDANT:**

- ☒ pleaded guilty to count(s) 7 and 8 of the indictment on May 31, 2005.
- ☐ pleaded nolo contendere to Count(s) \_\_\_\_\_ which was accepted by the court.
- ☐ was found guilty on Count(s) \_\_\_\_\_ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:1951(a) and 18:2	Please see indictment	1/21/2004	7
18:924(c)(1)(A) and 18:2	Please see indictment	1/21/2004	8

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) [Found not guilty count(s)].
- ☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.
- ☐ Forfeiture provision is hereby dismissed on motion of the United States Attorney.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

September 13, 2016

Date of Imposition of Judgment

S/ Terry L. Wooten

Signature of Judge

Hon. Terry L. Wooten, Chief U. S. District Judge

Name and Title of Judge

September 20, 2016

Date

DEFENDANT: PHILLIP JERMAINE HARKLESS  
CASE NUMBER: 4:05CR00079-TLW-4

### IMPRISONMENT

**\*This matter came before the Court on the government's Rule 35(b) motion and the Court having granted the same, IT IS Ordered that the previously imposed sentence of twenty four (24) months as to Count 7 and thirty (30) months as to Count 8, for a total term of 54 months is reduced to Twenty (20) months as to Count 7 and twenty four (24) months as to Count 8, to run consecutively, for a total sentence of Forty-Four (44) months. All other conditions set forth in the revocation judgment filed 1/25/2016, shall remain in effect.**

☒ The court makes the following recommendations to the Bureau of Prisons: It is recommended that the Defendant be evaluated for and allowed to participate in any Residential Drug Abuse Program available.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this Judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_

DEPUTY UNITED STATES MARSHAL